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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,630	11/21/2003	Seung-Ho Baek	86270NAB	3483

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EXAMINER

TANINGCO, MARCUS H

ART UNIT PAPER NUMBER

2884

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/719,630

Applicant(s)

BAEK ET AL.

Examiner

Marcus H. Tanningco

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2884



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 8 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/21/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 15, 16, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15 and 16 recites the limitation "filter" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "multiple modules" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Goto et al. (US 4,829,180).

Re claims 1 and 2, Goto discloses a scanning module (Figs. 6, 8) comprising: a housing **18B** comprising a channel **18Bb**; a cylindrical center chamber **18Ba** in communication with the

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channel comprising a mirrored surface **34B**; a first opening **32b** communicating with the cylindrical chamber and a second opening (where **18Bb** and **18Ba** meet) communicating with the cylindrical chamber; a laser **16** disposed in the housing adapted to generate a beam of stimulating radiation through the channel and the first opening to stimulate an area of photostimulable radiographic media, and wherein the stimulated area emits light and reflected light to enter the first opening of the cylindrical chamber; a light detector disposed **20** in the second opening for receiving light emitted and reflected into the cylindrical chamber; and a filter **34C** disposed at the second opening of the housing for selectively passing only the emitted light from the stimulated area of the photostimulable radiographic media to the light detector.

Re claim 3, Goto discloses that the radiographic media is a phosphor sheet (Col. 9, 43).

Re claim 6, Goto discloses that the housing is made of plastic (Col. 5, 37-40).

Re claim 9, Goto discloses that the filter comprises an anti-reflective coating (Col. 8, 11-12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4, 5, 7, 10-15, 17, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goto et al.

Re claim 4, Goto discloses a 633 nm laser (Col. 5, 3-8). Although Goto fails to disclose a 635 nm laser, it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide a 635 nm laser, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

Re claim 5, Goto discloses a filter (Col. 5, 19-25) and further teaches that the filter is selected to selectively pass only the emitted light, but does not specify a blue filter. However, blue filters are known in the art and one of ordinary skill in the art would be motivated to use a blue filter if that filter blocks the unwanted radiation and passes the desired radiation.

Determining which filter to use is a result effective variable and is constrained to the type of radiation detected.

Re claim 7, Goto does not specify that the housing is made in a molded one piece construction, however it would be obvious to one having ordinary skill in the art to make the housing out of a single molded construction in order to reduce manufacturing steps.

Re claims 10-12, Goto discloses a scanning module (Figs. 6, 8) comprising: a housing **18B** comprising a channel **18Bb**; a cylindrical center chamber **18Ba** in communication

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with the channel comprising a mirrored surface **34B**; a control process unit for receiving scanned signals (column 5, lines 26-31); and an output device for writing the received scanned signal onto diagnostic media (column 5, lines 26-31). Although Goto does not specify an analog to digital converter in communication with the scan modules for receiving scanned signals from the scan modules, those skilled in the art can appreciate that it would have been obvious provide an AD converter in order to produce digitized images.

Re claim 13, Goto discloses that the radiographic media is a phosphor sheet (Col. 9, 43).

Re claim 14, Goto discloses a 633 nm laser (Col. 5, 3-8). Although Goto fails to disclose a 635 nm laser, it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide a 635 nm laser, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art.

Re claim 15, Goto discloses a filter (Col. 5, 19-25) and further teaches that the filter is selected to selectively pass only the emitted light, but does not specify a blue filter. However, blue filters are known in the art and one of ordinary skill in the art would be motivated to use a blue filter if that filter blocks the unwanted radiation and passes the desired radiation. Determining which filter to use is a result effective variable and is constrained to the type of radiation detected.

Re claim 17, Goto discloses that the housing is made of plastic (Col. 5, 37-40).

Re claim 18, Goto does not specify that the housing is made in a molded one piece construction, however it would be obvious to one having ordinary skill in the art to make the housing out of a single molded construction in order to reduce manufacturing steps.

Re claim 20, Goto discloses modules mounted on a rotatable vacuum drum 30C comprising an external surface, and wherein the drum rotates about a longitudinal axis (Fig. 8, rotation about the axis of the drum);

Allowable Subject Matter

Claims 8 and 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Re claims 8 and 19, none of the prior art of record specifies a device wherein the elliptical minored surface has an overall length between 15mm and 30 mm in combination with a chamber that has a 20-30 degree of curvature. Although the prior art of record discloses a curved mirror and chamber, the exact range of positioning the elements as claimed are not disclosed.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus H. Taningco whose telephone number is (571) 272-1848. The examiner can normally be reached on M - F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MT


ALBERT J. GAGLIARDI
PRIMARY EXAMINER